

Senate Joint Resolution

No. 15

Introduced by ~~Senator Dutton~~ *Senators Dutton and Scott*

June 21, 2005

Senate Joint Resolution No. 15—Relative to teachers.

LEGISLATIVE COUNSEL'S DIGEST

SJR 15, as amended, Dutton. Retirement benefits: teachers.

This measure would request the President and the Congress of the United States to enact the Social Security Fairness Act of ~~2005~~ 2006, which would repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act.

Fiscal committee: no.

- 1 WHEREAS, After 1965, California's educators were not
2 allowed to participate in the federal social security system; and
3 WHEREAS, Due to higher contribution rates and superior
4 investment returns, the California State Teachers' Retirement
5 System provides retirees with superior benefits compared to
6 those provided by the federal social security system; and
7 WHEREAS, The State Teachers' Retirement System is not
8 coordinated with the federal social security system; and
9 WHEREAS, The Social Security Act includes two offsets, the
10 Government Pension Offset and the Windfall Elimination
11 Provision, that reduce the social security benefits payable to
12 persons who are entitled to benefits under other retirement
13 systems, under certain conditions; and
14 WHEREAS, These provisions penalize individuals who move
15 from private sector employment to teaching and vice versa; and

1 WHEREAS, These provisions penalize individuals who earned
2 social security benefits through their own employment prior to
3 teaching; and

4 WHEREAS, California has a significant teacher shortage and
5 requires more than 16,000 new teachers per year to meet
6 enrollment growth needs as well as retirement replacement; and

7 WHEREAS, Every child should have the opportunity to have
8 a highly qualified teacher in his or her classroom, but the Social
9 Security Act offsets limit the number of fully credentialed
10 teachers in the classroom by penalizing individuals who change
11 from private to public employment; and

12 WHEREAS, The recruitment and retention of teachers from
13 other states who are entitled to social security benefits upon
14 retirement is also limited and restricted by these offsets; and

15 WHEREAS, The Social Security Fairness Act of ~~2005~~ 2006,
16 which would repeal the Government Pension Offset and the
17 Windfall Elimination Provision, is currently before Congress;
18 and

19 WHEREAS, The elimination of the Government Pension
20 Offset and the Windfall Elimination Provision would greatly
21 improve the opportunities for hiring and retaining teachers in
22 California; now, therefore, be it

23 *Resolved by the Senate and the Assembly of the State of*
24 *California, jointly*, That the Legislature of the State of California
25 requests the Congress of the United States to support the Social
26 Security Fairness Act of ~~2005~~ 2006 which would repeal the
27 Government Pension Offset and the Windfall Elimination
28 Provision from the Social Security Act, and further, the
29 Legislature of the State of California requests President George
30 W. Bush to sign that legislation; and be it further

31 *Resolved*, That the Secretary of the Senate transmit copies of
32 this resolution to the President and Vice President of the United
33 States, to the Speaker of the House of Representatives, the
34 Majority Leader of the Senate, and to each Senator and
35 Representative from California in the Congress of the United
36 States.